

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

DETENTION ORDER

This matter came before the undersigned on November 23, 2008, for a scheduled detention hearing. Assistant United States Attorney David Lewen was present representing the government. Attorney Michael McGovern was present representing the defendant. The defendant was also present.

In the Court's oral ruling, a complete review and analysis of the parties' positions, issues, and facts were stated. That specific and detailed oral ruling is attached hereto and made a part of this Order as if stated herein verbatim.

For the reasons stated therein, I find, pursuant to 18 U.S.C. § 3142, that the government has met the burden of establishing by clear and convincing evidence that the release of the defendant would pose a danger to the safety of the community. Furthermore, the Court finds that there are no conditions or combination of conditions of release that would reasonably assure the Court that the defendant would not pose a danger to the safety of any other person or the community.

It is therefore **ORDERED** that the defendant, Marcus D. Jarnigan, be detained. He is committed to the custody of the Attorney General or his designated representative for confinement

in a correction facility separate to the extent practicable from persons awaiting sentencing or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. Upon order of this Court or a Court of the United States or upon request of the attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshals for the purpose of an appearance in connection with a Court proceeding.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge